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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/457,049	12/07/1999	SHMUEL SHAFFER	99P7399US	7243

7590 05/12/2003

SIEMENS CORPORATION
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ISELIN, NJ 08830

EXAMINER

NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 05/12/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/457,049

Applicant(s)

SHAFFER ET AL.

Examiner

Quynh H Nguyen

Art Unit

2642

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: NoneClaim(s) objected to: NoneClaim(s) rejected: 1-7 and 9-35

Claim(s) withdrawn from consideration: _____

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

AHMAD MATAR
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Claim 1 is rejected under 35 U.S.C. 112 second paragraph.

Since there is a calling party, a called party and a contact list manager recited in the claim, it should be clear in the claim as to who/what is sending/receiving a message.

Applicant argues that Wood does not teach a method to locate the called party, automatically processing the response to facilitate the use of the second contact method to attempt to reach the called party. Examiner respectfully disagrees.

Wood teaches the steps of: providing a contact list (in "web facility", i.e. telephone number for Pizza place) in which a called party can store a list of two or more contacts (see Abstract); sending a message from the calling party to the web via a first contact method (path 18 of Fig. 1); and upon receiving a request to locate the called party from the "web browser" to the "web facility" via "network (web)" via a first contact method; the response indicating a second contact method via path 14 of Fig. 1 i.e. by telephone, fax, etc...; and automatically processing the response to facilitate the use of the second contact method to attempt to reach the called party by clicking the DIAL button (col. 6, lines 42-55).

Applicant argues that Wood does not teach "the second contact method includes a telephone number that is entered in full by a responding party". Examiner respectfully disagrees.

Wood teaches (col. 6, line 42 through col. 7, line 9) that the caller would have the option to click a dial button that triggers the telephone switch to set up a telephone connection between the subscriber's telephone 10 and the called party or pick up the phone 10 and dial the full telephone number.

Applicant argues that Wood does not teach "first contact method includes an e-mail address". Examiner respectfully disagrees.

Wood teaches (col. 3, lines 20-31) that the first contact method via path 18 to the network constituting the Internet or World Wide Web via URL reads on claimed "first contact method includes an e-mail messages".

Examiner acknowledges that claim 6 was mentioned in the first sentence of item 3 should have been claim 16. Examiner apologizes about this harmless error.

Applicant argues that Wood does not teach "a response indicates a second destination which is to be subsequently called to reach the called party. Examiner respectfully disagrees.

Wood teaches the first destination ("caller/web browser"), and the second destination ("telephone switch/called party i.e. Pizza place") reads on claimed "a response to a location request message sent to a first destination, indicates a second destination which is to be subsequently called to reach the called party, and the first and second destinations are of different multimedia types".

Applicant argues that Wood does not teach "sending messages to multiple parties requesting location information regarding the called party". Examiner respectfully disagrees.

Wood teaches Fig. 3 displays list of personal directories can have name, telephone number, e-mail ID and one may simply click on the button labelled DIAL, the web page manager 36 communicates a message, containing a dial request, a calling telephone number of the subscriber, and a called telephone number from the windows, via which these messages are forwarded via the path 44 and SCI 46 to the telephone switch 16 (col. 6, line 56 through col. 7, line 9).


Applicants argues that the recited features "automatically sending one or more messages to parties listed in a contact list requesting location regarding the called party, wherein the messages include a number or address at which the calling party may be reached by the parties listed in the contact list and an instruction for the parties to directly contact the calling party via the number or address". Examiner respectfully disagrees.

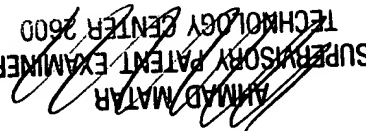
Wood teaches that Fig. 3 contains lists of contact names, contact numbers, and e-mail addresses. One may simple click the button labelled DIAL to connect to the other party or E-MAIL button to communicate via messages.

Applicant argues that Wood does not teach "... recording said second contact method and playing the response for said caller". Since Wood's system would allow subscriber to click a DIAL button to automatically connect to the called party or one may choose to pick up the phone and dial the number. Therefore, there is no need to record the second contact method and playing the response for the caller.

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